

IN THE CLAIMS

Please amend the claims as follows:

A⁵

1. (Amended) A self-contained sleep monitoring apparatus adapted to be mounted on and solely carried by [a human head] the body of a patient having a front face and first and second sides with the front face having a mouth, a nose with nostrils therein and first and second eyes and first and second ears on the first and second sides comprising a removable [headpiece] bodypiece adapted to be mounted on the [head and engaging the head above the eyes] body of the patient, an acoustical device adapted to be positioned on the face in the vicinity of the nose and/or mouth of the patient and having at least one acoustic [duct] space receiving respiratory airflow from the patient, a sensor exposed to the acoustic [duct] space for sensing turbulence and/or pressure changes in the respiratory airflow in the acoustic [duct] space and providing an electrical output, electrical circuitry carried by the [headpiece] bodypiece and movable with the patient for receiving the electrical output and for processing the electrical output to provide a real-time signal from the [headpiece] bodypiece which is indicative of the breathing of the patient.

2. (Amended) Apparatus as in Claim 1 wherein said [headpiece] removable bodypiece is a headband adapted to be mounted on the head of the patient and engaging the head above the eyes and having stretchable elastic characteristics.

Claim 4, line 2, delete "duct" and replace with --space--.

Claim 11, line 2, after "sensors" (second occurrence) insert --adapted to be--.

Claim 12, line 2, after "oximeter" insert --adapted to be--.

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13. (Amended) Apparatus as in Claim 9 wherein said additional sensors include a sensor adapted to be mounted on the body of the patient for sensing the body position of the patient.

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14. (Amended) Apparatus as in Claim 9 wherein said additional sensors include a sensor adapted to be mounted on the body of the patient external of the body of the patient for sensing vibrations of the trachea of the patient.

15. (Amended) Apparatus as in Claim 9 wherein said additional sensors include a sensor adapted to be mounted on the body of the patient for sensing the heart rate of the patient.

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17. (Amended) A method for diagnosing sleep disorders of a human being having a head having a nose and nostrils therein with the use of self-contained apparatus solely carried by the human body and a mouth and first and second eyes and first and second ears comprising sensing turbulence and/or pressure changes in the respiratory airflow from the nose and/or mouth of the patient, generating a resonant frequency in response to sensing turbulence and/or pressure changes in the respiratory airflow and providing an electrical output and utilizing the electrical output to provide a real time signal which is indicative of breathing of the patient.

REMARKS

The Examiner has pointed out that section headings are missing. Applicant wishes to point out that the specification is arranged in the manner suggested by the Examiner. However, section headings have not been included since they are not required. Applicant has found that the use of such section headings is undesirable particularly in connection with the foreign filing of the application, in which case they often must be deleted. It is therefore requested that this suggestion of the Examiner be withdrawn.

Nope! Ask Cury?

The claims have been amended to overcome the Examiner's rejection based on non-statutory subject matter.

The Examiner objects to certain of the claims because of the use of the word "vicinity". Applicant submits that this is a sufficiently precise term to define what is meant, i.e., the state of being near or close by or the region or area surrounding a particular place. It is therefore respectfully submitted that this objection of the Examiner should be withdrawn.

Range NOT Specified